

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

FREDRICK M. BLAU,

No. C 11-00541 CRB

Plaintiff,

**ORDER GRANTING IN PART
MOTION TO DISMISS**

v.

AT&T MOBILITY, ET AL.,

Defendants.

For the reasons stated from the bench, the Court GRANTS in part Defendant's Motion to Dismiss as to Plaintiff Anthony Tran, see dkt. 37, such that:

1. The fraud claims are DISMISSED with leave to amend;
2. The fraud by concealment claim is DISMISSED with leave to amend;
3. The CLRA claim is DISMISSED with prejudice;
4. The breach of contract claims are DISMISSED with leave to amend;
5. The MMWA claim is DISMISSED with prejudice;
6. The FCA § 201(b) claim is DISMISSED with prejudice; and
7. The RICO claim is DISMISSED with leave to amend.

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Plaintiff has 45 days to amend his Complaint.

IT IS SO ORDERED.

Dated: October 28, 2011



CHARLES R. BREYER
UNITED STATES DISTRICT JUDGE